

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

JOSHUA A. WILSON, *et al.*,

Plaintiffs,

v.

LLOYD J. AUSTIN III, *et al.*,

Defendants.

Case No. 4:22-cv-00438-ALM

NOTICE OF SUPPLEMENTAL AUTHORITY

Defendants respectfully notify the Court of the U.S. District Court for the Northern District of Texas's recent decision in *Jackson v. Mayorkas*, No. 4:22-cv-825 (N.D. Tex. Aug. 17, 2023) (attached as Ex. 1).

In that case, members of the Coast Guard challenged the Coast Guard's COVID-19 vaccination requirement, bringing claims under the Administrative Procedure Act, the Religious Freedom Restoration Act, and the First Amendment. Following the Coast Guard's rescission of that vaccination requirement, the defendants moved to dismiss the case as moot. In a reasoned opinion, the district court granted the defendants' motion, dismissed the entire case as moot, and denied the plaintiffs leave to amend.

The opinion in *Jackson* provides additional authority in support of Defendants' motion to dismiss, ECF No. 45.

Dated: August 21, 2023

Respectfully submitted,

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/s/ Jody D. Lowenstein

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CERTIFICATE OF SERVICE

I hereby certify that on August 21, 2023, I electronically filed the foregoing document with the Clerk of Court using this Court's CM/ECF system, which will notify all counsel of record of such filing.

/s/ Jody D. Lowenstein
JODY D. LOWENSTEIN
Trial Attorney
U.S. Department of Justice